

For 71/AYC-332  
25 Broder bl.  
Lin. CA. 94562  
Seg bldg. #9  
Pro-Per

U.S. DISTRICT COURT

**FILED**  
AUG 6 2008

CLERK RICHARD W. WIEKING  
NORTHERN DISTRICT COURT  
DISTRICT OF CALIFORNIA

FOR THE NORTHERN DISTRICT OF CALIFORNIA

**CV 08 3767**  
No. **MMC (PR)**

COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
Title 42 U.S.C § 1983

**E-filing**  
Robert J. Alexander,  
Plaintiff,

v.  
ALAMEDA COUNTY  
Sheriff's Office  
Attention Corrections

U.S. District Judge **EMERGENCY**  
Maxine M. Chesney **RESPONSE**  
Gov. Ethics Code Violation

Due to the filing of a Superior court writ of habeas corpus #H25646. And civil Actions filed in this court #C08-2727, #C08-2987 MMC (PR) ALAMEDA County deputy's have placed me in ad-Seg for reclassification, they have not complied to the District court order of United State District Judge Maxine M. Chesney. Dated July 17, 2008. I am requesting to notify U.S. District Judge of the non-comply. And to all the measures gone through in order to pursue legally in court. Please assist me. My resources are few, and my legal case reform-

MAIL

on 7/25/08 Deputy Larsen came to my cell in Bld #3-F. He asked me - I was going to Court today. This was approximately 4:00 am in the morning. I said that "yes if there is a fact a court date scheduled for me." The result was me sitting up brushing my teeth etc. Soon thereafter morning breakfast feeding commenced. Following the meal I went into my cell like everyone else. Once again Deputy Larsen came to my cell. This time he was under the impression that I was just going to choose refusing to go to court. It was approximately 4:45 or 4:30. I don't believe anyone had me to escort us up front for processing inmates to report for buses to court. Anyhow the escort came soon thereafter by way of approximately 5 deputies. Deputy Larsen handcuffed me behind my back and the along with his team of Deputies took me to a multi-purpose room where there was approximately 6 other inmates who were on the floor sleeping with their arms inside of their shirt in the fetal position. Others were standing around. They had become accustomed to this procedure. The multi-purpose room is used for a waiting room. The inmate is placed inside room here for approximately 2-3 hrs. waiting for shift change and an escort to the R&R Building for transport processing. His room is in the housing Bldg. It does not have any chairs or people to sit on. yet due to the time of morning people are deprived of adequate accommodations. After I was brought to the multi-purpose room. Deputy Larson came back to the multi-purpose room & directed me to step outside the room and put my arms inward against the wall, hands on my head, etc. After placing shackles on my person. He and Sgt. Scott informed me that I was going to R&R for transport immediately. They left someone else who was in the multi-purpose room. During this time Sgt. Scott informs Deputy Larson of two days prior. Technician Blackman from the report bldg #3 and Deputy [unclear] from [unclear]

I informed them that I gave Deputy Martinez a filled out grievance in regards to the prior incident. Also that I have two District Court order. During this time they saw that I had my legal representation with me. I informed them of this as well. Deputy Martinez however states that he isn't going to process my T.F.P. forms or any grievance involving me with court discrepancies or refusals. He's going to stand with his partner's Deputy's Carrera, Larson, Guffy, Technician Blackmen, and Sgt. Scott. Once I arrived to R & R Deputy Larson takes me to another isolated cell leaves me in hand cuffs, and informs me that as long as I be a problem or question his authority any time I come to Santa Rita I will go to the hole. Sgt. Scott said that if I don't go inside of a court room today - To inform Deputy Larson when I get back to e-mail him & file a grievance so that they can check into why I'm going on false court schedule. Anyhow I did not resist so eventually the hand-cuffs were taken off by the transport deputy who took me to the bus. I did not go into court that day once again I had the opportunity to see a judge I could have asked for the court to honor the District Court order. Upon arrival back to Santa Rita County Jail. I was required to wait in a room with approximately 100 other inmates for approximately 3 hours until they escorted me to my assigned Bldg #3 housing unit. Once there several other inmates and I were placed into the multi-purpose room again to wait for a housing unit deputy to strip search us. Soon thereafter the Bldg #3 housing Sheriff's Technician directed the Deputy who brought us back. To put me inside the

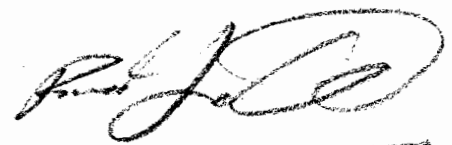


remained in the T-Solomon cell in Bldg #3 until approx  
 7:00 am the morning of 7/26/08. Deputy Martinez retrieved  
 my property from my cell. However he gave my contents  
 over to 4-5 inmate jailworkers, took away my dictionary  
 my that I purchased. Broke my cleodrant into pieces,  
 and informed me that "Strange things happen in the  
 cell". "It's just a small a good". And he recommend  
 that I just go with the program. Now I am missing  
 a lot of property. The went through all my legal work  
 I'm missing writing utensils, nail clippers, Shampoo, paper  
 work, Stamps, letters, any my care package that come  
 that day. He gave to the pod workers. I asked him  
 why I was going to ad-seg and he had no good reason  
 his only answer being that I'm being re-classified.  
 yet the shift/watch-time processing the move &  
 paperwork is on his shift. Also he directed the  
 Housing technician to take the write up paper-w  
 up front for processing so that he can pass out  
 canteen. When I pushed the intercom button I  
 was continually ignored by Technician Black MAN.  
 At or around 1:00 am I was finally escorted to  
 Bldg #9 Ad-Seg with no bed card or unusual occuran  
 report. The Ad-Seg Deputy's don't know the exact  
 reason as to why I'm here. I'm told that I show  
 write to Classification. I ask them why my proper  
 was confiscated without a receipt as to what was  
 taken. They had no answer. Now the morning of  
 7/27/08 at 4:00 am I am served a copy of Another  
 Alameda County Sheriff's office Disciplinary report  
 report #08S-01594, and Notice of Disciplinary Action  
 Pending PD-411, PD96. I requested a 24 hr. waiting  
 period, a council Substitute: I.E. investigative Employee  
 and Numerous witnesses. Advers & friendly to  
 clearance to the...

I, Robert Joseph Alexander III, AKA Samuel AYC-552  
state:

I am the petitioner in this action. I have read the foregoing petition for civil Action 4 USC. § 1983 and the facts stated therein are true of my own knowledge, except as to matters that are therein stated on my own information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Ad-Seg bldg. #9 cell 7 at Alameda County Detention and Corrections division Santa Rita Jail in Dublin CA. 94568



Petitioner

PO7071, AYC-552

Number 3

**ALAMEDA COUNTY SHERIFF'S OFFICE  
DISCIPLINARY REPORT**

Date 072508 Report No. 08S-01594  
 PFN AYC552 Name SAMUEL, Robert Page 1 of 1  
 DOB 032978 Race B Housing Location 3, F6  
 OCCURRENCE: Date/ Time 072508 / 0500 Location 3, F6  
 X Unsentenced Sentenced Gross Date \_\_\_\_\_ Release Date \_\_\_\_\_  
 Are criminal charges pending as a result of this incident? ☐ Yes ☒ No  
 If yes, report number \_\_\_\_\_ Co-defendant(s) \_\_\_\_\_ PFN(s) Only \_\_\_\_\_  
 Violation(s) 101 (b) Proper running of fac. : \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_  
                   No.                   Offense                   No.                   Offense                   No.                   Offense

On Friday, July 25, 2008, about 0500 hours while working as a Deputy Sheriff in Housing Unit #3, the following incident occurred.

While staging inmates for court, prior to the end of my shift, Sheriff's Technician BLACKMAN told me inmate SAMUEL refused to go court a few days prior. I went to SAMUEL's cell and asked him if he planned to go to court and he said "yes". After staging other inmates in the east multi-purpose room, I noticed SAMUEL was not in his pod. It's common practice for inmates who have court to wait in their pod following breakfast.

I went into F-Pod and found SAMUEL on his bed, in cell F-6. I opened his door and asked if he had what he needed for court. He said he was not going to court because he has had too many dry runs. He said if the court wants him bad enough, the movement deputies could come and get him. I tried, more than once, to explain the process of the housing unit deputies staging the daily courts and he had no choice in the matter. SAMUEL still refused to go to court.

I called for a second deputy to respond to HU-3. Sergeant SCOTT, along with other deputies arrived. Sergeant SCOTT and I escorted SAMUEL in waist chains to ITR and I put SAMUEL in cell T-21.

I recommend SAMUEL receive 60 days loss of privileges for delaying the proper running of the jail.

Reporting Deputy E. LARSON #1915 Recommendation 60 Days L.O.P.  
 Reported to Sergeant A. HAZARD #1937 Date 7/26/08 Time 0715 HRS  
 Interviewed by: A. SCOTT #1939 Date 7/27/08 Time 0806  
 Recommendation \_\_\_\_\_ Hearing Requested ☐ Yes ☐ No  
 Watch Commander \_\_\_\_\_ Recommendation \_\_\_\_\_  
 Chairman Hearing Board \_\_\_\_\_ Date \_\_\_\_\_  
 FINDING: ☐ Affirmed ☐ Denied Recommendation \_\_\_\_\_

Office Use

Disposition \_\_\_\_\_  
 Commanding Officer \_\_\_\_\_ Date \_\_\_\_\_  
 DISCIPLINARY ISOLATION: Date In \_\_\_\_\_ Date Out \_\_\_\_\_  
 Violation Codes \_\_\_\_\_ Location \_\_\_\_\_  
 PD96 (Rev 5/98) Records Office/ Inmate Notified \_\_\_\_\_ Date \_\_\_\_\_



OFFICER MAKING SERVICE: ALBERTO 1927 DATE: 7/27/08 TIME: 0306  
 VIOLATIONS ALLEGED: 101 (b)

OFFICE OF THE ALAMEDA COUNTY SHERIFF'S OFFICE

SANTA RITA JAIL  
INMATE GRIEVANCE FORM

Alexander  
CDC PO7071

NAME: Samuel, Robert  
HOUSING UNIT: B-F-6

PFN: AYC-552  
DATE: 7-23-08

NATURE OF GRIEVANCE: ( Give specific details )

On or around 4:00 AM 7-23-08 Deputy Carrera came to my cell and opened my door. Once opened he told me that he's going to demand that I get up and go wait inside the multi-purpose room for court. I advised him that I am not going to court today. I do not have any charges pending in any court. I did however ask Deputy Carrera again to assist me in my Informa Pauperas Form verification of funds. He insists on ignoring my attempts. I asked him the evenings prior as well. Deputy Carrera made a verbal threat that he was going to leave and come back with 8-10 deputies. I advised deputy Carrera that it would not be in the best interest to attempt to use force or a cell extraction to convince me to go into the multi-purpose room and wait until 8:00 am until Deputy Gutfg comes on shift. I've made numerous attempts to try and talk with him yet he insisted that you'll see what happens when he comes back. I have been having problems out of him and Deputies who will not process my paperwork or attempt to have a disregard for legal privilege, or Court orders. I did not go to court today, proving that my presence is not warranted by any court. However U.S. District Court Judge Northern District did order that I file a Informa Pauperas

\*\*\* DO NOT WRITE ON THE BACK OF THIS FORM. USE ANOTHER FORM, WRITE PAGE 2 Form.

INMATE SIGNATURE: 

\*\*\* DO NOT WRITE BELOW THIS LINE - ADMIN USE ONLY \*\*\*

RECEIVED BY DEPUTY: \_\_\_\_\_ BADGE #: \_\_\_\_\_ DATE: \_\_\_\_\_

☐ RESOLVED - INMATE ACCEPTANCE: \_\_\_\_\_  
EXPLAIN RESOLUTION ON REVERSE SIDE.

☐ CAN NOT BE RESOLVED AT THIS LEVEL  
DRAW TRACKING NUMBER FROM CP-01

FORWARDED TO SGT. \_\_\_\_\_ TRACKING NUMBER: \_\_\_\_\_

COPIES: White - Staff use  
Yellow - Inmate Receipt Copy

ML - 51 (rev 8/06)



Robert Alexander III  
PO Box 71 AYC-552  
5325 Broder Bl. 9-B-7  
Dublin, CA. 94568

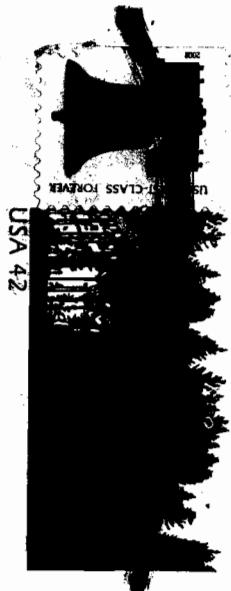
110-9187

*Prode*  
**RECEIVED**

AUG 1 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

U.S. DISTRICT COURT  
Northern District of California  
450 Golden Gate Ave.  
San Francisco, CA. 94102  
c/o Maxine M. Chesney  
U.S. District Judge



- LEGAL MAIL -

LEGAL MAIL

PERSONAL & Confidential  
- LEGAL MATTER

THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT.